



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

September 27, 2005

Thomas P. Mathison
Shaw Environmental, Inc.
2790 Mosside Boulevard
Monroeville, Pennsylvania 15146

Subject: Notice of Tentative Approval to Commence Large Mining Operations,
Shaw Environmental Inc., Lime Peak Quarry, M/049/047, Utah County,
Utah

Dear Mr. Mathison:

The Division has completed a review of your latest response and now finds your Notice complete and have reached a tentative decision to approve the Lime Peak Quarry large mining permit application. We have sent formal notice of tentative approval for publication in the Salt Lake City, Juab and Utah County newspapers. This will begin the required 30-day public comment period. If no substantive comments are received, the Division will issue final approval for this project.

Prior to issuing final approval we must receive:

- A corrected legal description for the notice to reflect the area to be disturbed, not the area that is owned/controlled by the operator. The correct legal description should read:
Portions of: the west 1/2 of the southwest 1/4 of section 4; the east 1/2 of the southeast 1/4 of the southeast 1/4 of section 5; and the northeast 1/4 of the northeast 1/4, the northwest 1/4 of the southeast 1/4 of the northeast 1/4, the northeast 1/4 of the southwest 1/4 of the northeast 1/4, and the east 1/2 of the northwest 1/4 of the northeast 1/4 of section 8; Township 10 South, Range 2 West, SLBM, Utah County, Utah
- Two copies of a complete and consolidated plan. The Division will stamp the plans as approved and return one copy for your records.

Thomas Mathison
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M/049/047
September 27, 2005

- Reclamation surety in the amount of \$106,800.00 and an amended Reclamation Contract. Beth Ericksen @ (801) 538-5318 is available to assist you in completing these items.

Please be advised that you are not authorized to mine beyond the current small mine notice until you have received written **final** approval from this Division.

If you have any questions in this regard please contact me or Lynn Kunzler at (801) 538-5258 or 538-5310. Thank you for your cooperation and patience in completing this permitting process.

Sincerely,



Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:LK:jb
Attachment: Public notice
cc: Mary Ann Wright, Assoc. Director, DOGM
O:\M049-Utah\M0490047-LimePeakQuarries\finaltent-apv-09272005.doc

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BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

---ooOoo---

IN THE MATTER OF TENTATIVE
DECISION TO APPROVE A LARGE
MINING AND RECLAMATION PLAN
FOR SHAW ENVIRONEMTAL, INC.,
LIME PEAK QUARRY,
UTAH COUNTY, UTAH

NOTICE OF TENTATIVE
DECISION TO APPROVE

NO. M/049/047

---ooOoo---

THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION,
MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS
INTERESTED IN SECTIONS 4, 5 AND 8, TOWNSHIP 10 SOUTH, RANGE 2 WEST, SLBM,
UTAH COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Large Mining Operations Notice of Intention for Shaw Environmental's Lime Peak Quarry. Mining activities will affect the following areas: portions of: the west 1/2 of the southwest 1/4 of section 4; the east 1/2 of the southeast 1/4 of the southeast 1/4 of section 5; and the northeast 1/4 of the northeast 1/4, the northwest 1/4 of the southeast 1/4 of the northeast 1/4, the northeast 1/4 of the southwest 1/4 of the northeast 1/4, and the east 1/2 of the northwest 1/4 of the northeast 1/4 of section 8; Township 10 South, Range 2 West, SLBM, Utah County, Utah

Shaw Environmental Inc. has submitted a permit application to combine four existing small mining projects into one large mining operation, with additional area for future use. Reclamation surety will be provided to the Division for the proposed project disturbance. The operator will employ the following mining and reclamation techniques on approximately 24.7 acres of private land (some of which was disturbed historically).

During Operations: No permanent facilities are associated with this operation. Temporary structures include a 500-gallon fuel tank, a crusher and stacking facility. Prior to new disturbances, available soils will be salvaged for reclamation. No topsoil is available on the old quarry area in section 4. Stone in blasted and excavated from the quarry area and hauled to the processing area. Here is will be crushed and screened and stockpiled. Final product will be hauled by truck to various superfund mitigation areas in the Eureka area. Fugitive dust will be controlled by application of magnesium chloride and water. The operator has an Air Quality Approval Order for operation of the crusher.

After Operations: The quarry area will be left with an overall slope of 45 degrees (1h:1v). Because the pre-existing operation did not salvage soil materials, no soil will be


replaced. Regrading with an excavator and seeding will reclaim access roads to the quarry. Reclamation of the processing area will consist of removal of the crusher and screening facility, ripping the entire area to a depth of 2 feet, replacing a minimum of 12 inches of plant growth material and broadcast seeding with a seed mix of native species designed to achieve the post mining land use of limited grazing and wildlife habitat.

The person representing the company is Mr. Tom Mathison; Phone (412) 380-6207. Shaw Environmental, Inc. is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint and if a hearing is desired. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 23rd day of September, 2005.

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

A handwritten signature in black ink, appearing to read 'Mary Ann Wright', is written over the printed name and title.

Mary Ann Wright
Associate Director, Mining

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Large Mining Notice of Intention for Shaw Environmental, Inc.'s Lime Peak Quarry project, M/049/047 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 23rd day of September, 2005 to:

FACSIMILE: 237-2776 and
E-MAIL: naclegal@nacorp.com
Salt Lake Tribune
Advertising Department
116 Regent Street
P.O. Box 45838
Salt Lake City, Utah 84145


Richard Schreiber
Chief Consolidated Mining
1629 Locust Street
Philadelphia, Pennsylvania 19103-6304

FACSIMILE: (435) 489-7021 and
E-MAIL: artcity@avpro.com
Eureka Reporter
Legal Advertising
269 East 400 South
Springville, Utah 84663-1850

Rex Rowley
Bureau of Land Management
Fillmore Field Office
35 East 500 North
Fillmore, Utah 84631

FACSIMILE: (801) 373-373-5489 and
E-MAIL: dhlegals@heraldextra.com
The Daily Herald
Legal Advertising
1555 North Freedom Boulevard
P.O. Box 717
Provo, Utah 84603

Quest Capitol Corporation
570 Granville Street, Suite 900
Vancouver, BC V6C 3P1
Canada


Joelle Burns, Secretary

CERTIFIED RETURN RECEIPT
7002 0510 0003 8603 3097
Tom Mathison
Shaw Environmental, Inc.
2790 Mosside Boulevard
Monroeville, Pennsylvania 15146

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Bryce Armstrong, Assistant Director
Utah County Office of Planning
100 East Center, Suite 3800
Provo, Utah 84606